

UNCLASSIFIED

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS ~~2011 MAY 19 PM 3:11~~  
DALLAS DIVISION

DEPUTY CLERK

UNITED STATES OF AMERICA §  
§  
v. § No. 3:10-CR-083-L  
§  
ABDEL QADER SALEH §  
§

**FACTUAL RESUME**

Abdel Qader Saleh, defendant, his attorney David Finn, and the United States of America, stipulate and agree to the following elements of the offense and facts supporting the plea:

**ELEMENTS OF THE OFFENSE**

Possession of Goods Stolen from Interstate Shipment

18 U.S.C. § 659

*First:* That someone stole the property described in the indictment from a motortruck, trailer, or other vehicle as alleged in the indictment, while such property was moving as part of an interstate shipment of freight;

*Second:* That the defendant thereafter possessed such property knowing that it had been stolen as charged; and

*Third:* That such property then had a value in excess of \$1,000.

**STIPULATED FACTS**

1. On or about February 3, 2010, in the Dallas Division of the Northern District of Texas, defendant Abdel Qader Saleh possessed goods, i.e., twenty-eight (28) cardboard boxes containing a number of bottles of amoxicillin, a prescription antibiotic drug, which had been stolen from an interstate cargo shipment in the Dallas, Texas area on or about February 3, 2008. The shipment had originated at the warehouse of National Consolidation Service in Alsip, Illinois on January 31, 2008. The amoxicillin was intended by Walgreen's to be delivered to the Walgreen's warehouse located in Waxahachie, Texas. The amoxicillin had been shipped to Texas by tractor-trailer as part of an interstate shipment of freight. The shipment was stolen before delivery to the Walgreen's warehouse while part of an interstate shipment by a person or persons who intended to deprive Walgreen's of its use and benefit permanently.

2. On or about February 3, 2010, the stolen amoxicillin was discovered in Unit P616 of the Pack n' Stack self storage warehouse on W. Northwest Highway in Dallas, Texas by an employee of the storage center. The stolen amoxicillin was contained in twenty-eight (28) cardboard boxes. A few days later, that discovery was reported to federal law enforcement agents, who obtained a search warrant and seized the stolen drugs. At all times between February 3, 2008 and February 3, 2010, Defendant Abdel Qader Saleh paid the rent for Unit P616. Saleh admits that on or about February 3, 2010, he physically possessed and exercised dominion and control over the stolen amoxicillin

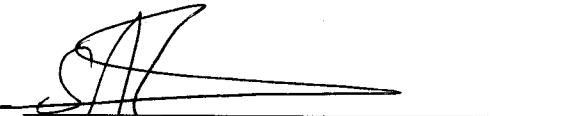
knowing that the amoxicillin was stolen. Saleh stored the stolen amoxicillin in Pack n' Stack self storage warehouse Unit P616, a self storage unit for which he paid rent and to which he had access.

3. On or about February 3, 2010, the stolen amoxicillin possessed by Saleh at the self storage warehouse had a value in excess of \$1,000.00.

AGREED TO AND SIGNED this 19<sup>TH</sup> day of May, 2011.

JAMES T. JACKS  
UNITED STATES ATTORNEY

  
J. MARK PENLEY  
Assistant United States Attorney  
Texas State Bar No. 15750700  
1100 Commerce Street, Third Floor  
Dallas, Texas 75242-1699  
Telephone: 214.659.8600  
Facsimile: 214.767.2846  
Mark.penley@usdoj.gov

  
ABDEL QADER SALEH  
Defendant

  
DAVID FINN  
Attorney for Defendant  
Texas State Bar No. 07026900